

77-10a-10 Charge of grand jury -- Rights and duties.

Upon impanelment of each grand jury, the judge managing the grand jury shall charge the grand jury and inform it of:

- (1) its duty to inquire into offenses against the criminal laws alleged to have been committed within the jurisdiction;
- (2) its independent right to call and interrogate witnesses;
- (3) its right to request the production of documents or other evidence, including exculpatory evidence;
- (4) the necessity of finding credible evidence of each material element of any crime charged before returning an indictment;
- (5) the need to be satisfied that clear and convincing evidence exists that tends to show that a crime was committed by the person or persons accused before returning an indictment;
- (6) its right to have the prosecutor present it with draft indictments for less serious charges than those originally requested by the prosecutor;
- (7) the obligation of secrecy; and
- (8) other duties and rights as the court finds advisable.

Enacted by Chapter 318, 1990 General Session